

# BEYER WEAVER & THOMAS, LLP

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## FACSIMILE COVER SHEET

March 20, 2003

**Receiver:** Examiner Zohreh Fay  
USPTO

**TEL #:** 703-308-4604

**FAX # :** 703-746-3175

**Sender:** Leslie Russell, Patent Secretary for Haruo Yawata

**Re:** U.S. Patent Application: ***OCULAR IRRIGATING SOLUTION***  
Inventor(s): Armitage et al.  
Application No.: 09/673,074  
File Date: October 10, 2000  
Our File No.: HASLP004

Pages Including Cover Sheet(s): 11

### MESSAGE:

Following is a copy of a response to the Final Rejection which we filed with the USPTO on December 19, 2002.

I will contact you in a few days to see if the response has been entered.

Thank you for your assistance,

Leslie Russell

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### CONFIDENTIALITY NOTE

The information contained in this facsimile (FAX) message is legally privileged and confidential information intended only for the use of the receiver or firm named above. If the reader of this message is not the intended receiver, you are hereby notified that any dissemination, distribution or copy of this FAX is strictly prohibited. If you have received this FAX in error, please immediately notify the sender at the telephone number provided above and return the original message to the sender at the address above via the United States Postal Service. Thank you.

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Armitage et al.

Atty Docket No.: HASLP004/HL52257

Application No.: 09/673,074

Examiner: Fay, Zohreh A.

Filed: February 26, 2001

Group: 1614

Title: OCULAR IRRIGATING SOLUTION

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail to Box AF, Commissioner for Patents, Washington, DC 20231 on December 19, 2002.

Signed:

Joyce L. Ferreira

**AMENDMENT TRANSMISSION**

Commissioner for Patents  
Box Amendment Fee  
Washington, DC 20231

Sir:

Transmitted herewith is an Amendment in the above-identified application.

The fee has been calculated as shown below.

	Claims After Amendment		Highest Previously Paid For	Present Extra	Small Entity Rate Fee	Large Entity Rate Fee
Total Claims	19	MINUS	20	00	x 9 = 0	x 18 =
Independent Claims	02	MINUS	03	00	x 42 = 0	x 84 =
Multiple Dependent Claim Present and Fee Not Previously Paid					\$140.00	\$280.00
				Total	\$0	\$

- Applicant(s) believe that no (additional) Extension of Time is required; however, if it is determined that such an extension is required, Applicant(s) hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 500388.
- Please charge the required fees, or any additional fees required to facilitate filing the enclosed response, to Deposit Account No. 500388 (Order No. HASLP004).

Respectfully submitted,  
BEYER WEAVER & THOMAS, LLP



Haruo Yawata

Limited Recognition Under 37 C.F.R. 10.9(b)

P.O. Box 778  
Berkeley, CA 94704-0778

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****PATENT**

In re application of: Armitage, et al.

Attorney Docket No.: HASLP004,  
HL52257/002/GW/eg#14/C  
JRP  
4/8/03

Application No.: 09/673,074

Examiner: FAY, ZOHREH A.

Filed: February 26, 2001

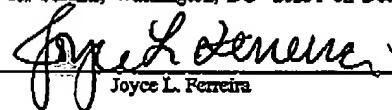
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Signed:


  
Joyce L. Pereira

Oct.  
please enter  
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**AMENDMENT AFTER FINAL**

Box AF  
Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This is in response to the final Office Action dated October 28, 2002.

Please enter the following amendments to the above-identified patent application after final:

**In the Claims:**

All pending claims have been reproduced in an appendix below for the convenience of the Examiner. The appendix pages may be treated as substitute pages for the pages of claims in the present specification.

Please enter the following amendments to claims 1 and 11 after final:

1. (Twice Amended) A method of irrigating the eye of a patient during surgery comprising supplying to the eye an aqueous solution consisting essentially of a source of bicarbonate ions, a physiologically acceptable organic buffer which is an organic zwitterionic buffer having a buffering capacity within the range pH 6.8 to 8.0, and optionally a source of

Application No: 09/673,074

1

Atty Dkt: HASLP004, HL52257/002/GW/eg

NO. 894 P. 4

MAR. 20, 2003 2:19PM